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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,193	04/17/2006	Tsukasa Fujieda	060321	8608
	7590 08/18/200 TOS & HANSON, LL	EXAMINER		
1420 K Street, I Suite 400		WALTERS JR, ROBERT S		
WASHINGTO	N, DC 20005		ART UNIT	PAPER NUMBER
		1792	1792	
			MAIL DATE	DELIVERY MODE
			08/18/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/576,193	FUJIEDA, TSUKASA	
Examiner	Art Unit	
ROBERT S. WALTERS JR	1792	

The MALLING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 11 August 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  I. ■ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which place is application in cordination followence; (2) a Notice of Appeal (with appeal fee) in compliance with 37 OFR 1.131; (1) (c) 30 Request periods:  3. ■ The period for reply express 3 months from the milling date of the final rejection.  3. ■ The period for reply express 3 months from the milling date of the final rejection.  4. ■ The period for reply express on; (1) the making date of the final rejection.  5. ■ The period for reply express on; (1) the making date of the final rejection.  5. ■ The period for reply express on; (1) the making date of the final rejection.  6. ■ Examinen Hober, If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 768 07(6).  8. ■ Examinen Hober, If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 768 07(6).  8. ■ The Period to date of the proposed of determining the period of excession and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.13(a) is calculated from: (1) the expression date of the shorthered statuty period for reply originally set in the intal Office actor, or (2) as a proposed amendment of the complex of the shorthered statuty period for reply originally set in the intal Office actor, or (2) as a proposed or period set for the shorthered statuty period for reply originally set in the intal Office actor, or (2) as a proposed or period set for the shorthered statuty period for reply origin		ROBERT S. WALTERS JR	1792							
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<ul> <li>2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 4.1.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).</li> <li>AMENDMENTS</li> <li>3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);</li> <li>(b) ☐ They raise the issue of new matter (see NOTE below);</li> <li>(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or</li> <li>(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.</li> <li>NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).</li> <li>4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).</li> <li>5. ☐ Applicant's reply has overcome the following rejection(s):</li></ul>	Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, nay reduce any earned patent term adjustment. See 37 CFR 1.704(b).									
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5.  Applicant's reply has overcome the following rejection(s):  6.  Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  7.  For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)	appeal; and/or (d) They present additional claims without canceling a continuation Sheet. (See 37 CFR 1.1)	orresponding number of finally reje 16 and 41.33(a)).	ected claims.							
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Continuation of 3. NOTE: The amendment to claims 1 and 10 to recite that the composition applied in each stage becomes 0.3 to 5 microns when cured has not been previously entered and will require further search and consideration, therefore the proposed amendment has not been entered.

Continuation of 11. does NOT place the application in condition for allowance because: The applicant's arguments, at least in part, are based upon the amendment which has not been entered.